

IN THE SUPREME COURT OF THE STATE OF NEVADA

LARRY BROWN,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Sep 08 2021 11:19 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 81962

RESPONDENT'S APPENDIX

NAVID AFSHAR
Deputy Special Public Defender
Nevada Bar #014465
JONELL THOMAS
Special Public Defender
Nevada Bar #004771
330 South 3rd Street
Las Vegas, Nevada 89155
(702) 455-6265

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2500
State of Nevada

AARON D. FORD
Nevada Attorney General
Nevada Bar # 007704
100 North Carson Street
Carson City, Nevada 89701-4717
(775) 684-1265

Counsel for Appellant

Counsel for Respondent

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 8th day of September, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

NAVID AFSHAR
Deputy Special Public Defender

KAREN MISHLER
Chief Deputy District Attorney

/s/ J. Garcia

Employee, Clark County
District Attorney's Office

KM//jg

DECLARATION OF ARREST

ID#: 2627794EVENT: 081209-3779

TRUE NAME: CARL CHILTON	DATE OF ARREST: 12-17-08	TIME OF ARREST: 1745
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OTHER CHARGES RECOMMENDED FOR CONSIDERATION:

THE UNDERSIGNED MAKES THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I am a peace officer with the Las Vegas Metropolitan Police Department, Clark County, Nevada, being so employed for a period of 7.5 years.

That I learned the following facts and circumstances which lead me to believe that CARL CHILTON committed (or was committing) the offense of Robbery UDW (2cts), Kidnaping UDW (5CTS), Burglary WDW, Conspiracy to Commit Robbery, Conspiracy to Commit Kidnaping, GLA, at the location of 2851 Sunrise #126 Las Vegas Nevada 89104.

That the offense occurred at approximately 2200 hours on the 9th day of December, 2008.

See arrest report for details per Lt. Nichols P# 4398 in RHB.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Declarant

T. WEIRAUCH

7465



RA 000001

ARREST REPORT

08F26313X/10

☒ City☐ County☒ Adult☐ Juvenile

Sector/Beat B4

ID/EVENT# 2627794	ARRESTEE'S NAME (Last, First, Middle) Chilton, Carl		S.S.# [REDACTED]	
ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code)				
CHARGES: Robbery UDW (2 CTS), Kidnaping UW (5 cts), Burglary WDW, Conspiracy to Commit Robbery, Conspiracy to Commit Kidnap, GLA				
OCURRED: 12-09-08	DATE 12-09-08	DAY OF WEEK Tues	TIME 22:13	LOCATION OF ARREST (Number, Street, City, State, Zip Code) 822 Weaver Las Vegas Nevada
RACE B	SEX M	D.O.B. 08-08-89	HT 6'6"	WT 220
HAIR BLK		EYES BLK		PLACE OF BIRTH unk

CIRCUMSTANCES OF ARREST

On 12-09-08 at approximately 2213 hours three BMJ's/BMA's made contact with victim Rosario Elizalde-Quintero 10-28-76 while he was standing on his porch in front of his apartment (#126 at 2851 Sunrise Ave. Las Vegas, Nevada). They tried to speak with him in English but he understood very little, he saw that one of the suspects had a black semi-auto handgun pointed at his feet. Two of the suspects gained entry via the front door and the third jumped over the balcony and gained entry via the patio door.

The first two suspects held Rosario and gun point in the living room while the third suspect located victim Ivonne Orozco in her bedroom and told her at gunpoint to come out to the livingroom. Ivonne Orozco was the only adult in the apartment who spoke English, so most of the robber's demands were given to her. The suspects, who Orozco said were armed with one handgun and one shotgun, started to ransack the apartment. When doing so they also asked where the money was, and Orozco said they did not have any. One of the suspects found Orozco's purse, and took \$300 cash from it. He told her she was a liar and that \$300 wasn't enough for them. Orozco said she didn't have anymore money, and that all their money is in the bank. The suspect with the shotgun, Who was later identified as Carl Chilton ID # 2627794, told her that one of them needed to go with him to the ATM to pull more money out.

Rosario said he would go, but Orozco thinking she would have a better chance to get help offered to go instead. Chilton gave the shotgun to another suspect, later identified as Larante Farmer 02-28-91, and left with Orozco. On the way out the door Orozco was able to grab her cellular phone without the suspect seeing her. The suspect also told Orozco to bring her three year old daughter, Joanna Beltran 08-25-05, with them and made her drive her 2004 Chevy Trailblazer (NV/ 551VPG). On the way walking towards the vehicle the suspect told her "This is a nice car for me".

Orozco drove while Chilton was in the front passenger seat, and her daughter was in her car seat in the back seat. Orozco drove to the Wells Fargo Bank located at 4101 E. Charleston and parked her vehicle. She exited and went towards the ATM while Chilton stayed in the vehicle with her daughter. Orozco tried to dial 9-1-1 at this time but her phone was not getting any reception, so she ran west bound towards another lady who was using the ATM at the Bank of America nearby. This lady refused to help her so Orozco kept running and saw Lavette Guirao and she used her phone to call 9-1-1.

ARRESTING OFFICER(S)	P#	APPROVED BY	CONNECTING RPTS. (Type or Event Number)
T. Weirauch	7465	Lt. Nichols	Arrest Package

RA 000002

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While Orozco was running she could see that Chilton had moved over to the drivers seat and left in her vehicle, with her child still inside, and drove away East bound on Charleston.

Orozco told the 9-1-1 dispatcher that there was a robbery going on at the 2851 Sunrise address and patrol units were sent to that location.

Officers arrived at the Sunrise address, and Officer D. Butler P# 6264 and Officer T. Roberts P#5802 circled around the south end of the building. When doing so they observed a BMJ carrying a shotgun running from the apartment. This person, who was later identified as Larante Farmer, was taken into custody. The third suspect was never located.

The Mossberg 12 gauge shotgun that Farmer had in his possession had serial number (T087932). This shotgun was impound by CSA S. Schrum who responded to and processed the scene.

How Victim Joana Beltran was Found

At 22:25 hours LVMPD received a call that there was a vehicle parked in the roadway on Pecos Rd North of Charleston. The p/r said that there was a HFJ, about three years old, inside the running vehicle.

Units responded to that location and confirmed that the vehicle was NV/551VPG and that the child was Joana Beltran-Orozco.

Det. Matlock P# 6708 and Det. Dosch P# 7907 responded to the scene where the child was located. Det. Dosch interviewed Decue Farrow 05-14-76. Farrow, who is a security guard and was the first person to find Joana Beltran-Orozco.

Farrow said the he was inside the Circle K located at the corner of Pecos Rd and Charleston when a BMA, later identified as Chilton, entered the store and asked the store's security guard, Mark Clayborne, if he could use his cellular phone. Chilton tried to dial a number but the phone did not work, then the cashier Alicia Hyde, allowed the mail to use the stores phone. Farrow also said it seemed as if the Chilton was "Nervous, kinda in a rush".

Detectives Dosch and Matlock confirmed this with Clayborne and Hyde and all three relayed the same details about the Chilton entering the store and trying to make a phone call.

Detective Dosch examined the Clayborne's phone and was able to determine that the number Chilton dialed was 702-205-6692.

I later went to the Circle K and was able to obtain a copy of the video surveillance. It showed a subject who strongly resembled Carl Chilton wearing a grey hoodie with a red t-shirt underneath that is long enough to stick out of the bottom of the hoodie. The video supports what all the witnesses in the store said occurred.

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Victim Interviews

I Det T. Weirauch P# 7465 conducted a taped interview with victim Ivonne Orozco. Much of the above mentioned details were obtained from her. She also seemed very upset, crying hysterically, when I first picked her up at the 4101 Charleston address. It wasn't until she was reunited with her daughter that she was able to calm down. Orozco was also transported back to where Farmer was taken into custody and a one on one was conducted. She stated she was positive that he was one of the suspects involved in the robbery.

With the help of Officer C. Luna P# 8257 I was able to conduct a taped interview with victim Rosario Elizalde-Quintero. His story of the initial robbery matched that of Ivonne Orozco. However he was able to add that while Orozco was heading to the ATM, one of the suspects exited the apartment with his white bedspread with floral print wrapped around some unknown items. This bedspread was later located in the back seat of a red minivan parked nearby the victim's apartment. It could be seen in plain view and both Rosario and Orozco confirmed that it was their bedspread. The van had Nevada plates 228UYY. A records check showed it was a 1995 Ford Windstar registered to Mellany Farmer, Larante Farmers mother. A second registered owner was also listed, Carl Chilton DOB 08-08-89, who is Larante Farmers older brother. Rosario was also taken to where Farmer was taken into custody and he too was positive that Farmer was one of the suspects involved in the robbery.

Suspect Interview For Larante Farmer

Det. C. Cain P# 2852 conducted the interview with Farmer after he was transported to the ISD building. Farmer was informed of his miranda rights and he said he understood them and did not need a lawyer or his parent to be present during questioning. Farmer said he was with two people he only knows as "Bam" and "Big dude". He said he was going to the victims apartment to help "Bam" collect some money that was owed to him reference a drug transaction. He said he knew they were going to rob the victims, and that he was going to get a third of the take. He said that when they got to the victims apartment it was "Bam" who jumped over the victims patio and he came to the front door and let everyone inside. He said he was armed with a pellet gun at first, then the shotgun after "Big Dude" left to the bank.

He denied that he arrived in his mothers van, he said he was dropped off by a fourth unknown person by the name of "C" who drove a chevy.

Larante Farmer had in his possession a cellular phone. When asked what the number was Farmer said 205-6692, which matched the number that Chilton tried to dial from the security guard phone while inside of the Circle K.

Follow Up Investigation

I looked up Larante Farmer's name on Myspace.com and found that he had a page. Knowing that Myspace.com is used as a social networking site where people often have friend/family pictures displayed I searched for anyone that might be "Big Dude". On a space of his page where pictures of his family were displayed Larante had a picture of a black male adult that was labeled "Big Dude". I compared this picture to the DMV picture of Carl Chilton, Larante's brother and co registered owner of the van left behind by the suspects, and it is the same person.

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I created a six person photo line up that had Carl Chilton's picture displayed in the bottom row , first one on the left.

This line up was shown to victim Ivonne Orozco on 12-10-08 at 22:42 hours at her residence. She circled Chilton's picture and put her initials next to it. She said the he was the person that forced her to go to the ATM and was the one who drove away in her vehicle with her child inside of it. Orozco also circled the picture to the right of Chilton's on the same photo line up and that he was the third suspect who has not been identified yet.

The line up was also shown to victim Rosario Elizalde on 12-14-08 at 16:46 hours with the help of interpreter Katrina Bradash P# 12156. Elizalde circled Chilton's picture and said he was the suspect who left with his wife when she was forced to go to the bank.

Investigation reference the Shotgun that Farmer had

The shotgun was a Mossberg 12 gauge with serial number T087932. A records check showed that it was not registered. A check of Carl Chilton showed that he received a ticket for discharging a firearm outside of a range on 07-05-08. A report was taken for this event under event number 080705-0143. In this report it list that Carl Chilton received his ticket because he admitted to firing off his shotgun in celebration of the Fourth of July. In the report it list that the serial number for his shotgun was T087932. The shotgun was impounded that night for safe keeping and Chilton later went and retrieved the shotgun from impound after proving ownership.

Search Warrant On Ford Windstar NV/228UYY

A search warrant was obtained and preformed on the vehicle while it was parked at the secure storage are that LVMPD has with Quality Towing on 12-16-08.

Items recovered during the search was the white bed spread that the victims recognized as theirs that was in the van, along with numerous electronic items that were later returned to the victims.

Also recovered from the van was a black UMAREX pellet handgun Serial number J6064975 which matched the description of the one used by the suspects and a Rugar 22 caliber rifle with serial number 253-62082. In addition to these firearms 14 shotgun shells were also recovered.

Photographs of all of the items were taken by CSA Fletcher.

Arrest of Carl Chilton

DTAC PSU officers spent the day of December 17th 2008 looking for Carl Chilton after being told that I had P/C to make an arrest. DTAC Officer T. Roberts P# 5802 located Chilton at 822 Weaver LVN where he was taken into custody without incident.

While at the 822 Weaver location officers were able to obtain a consent to search the apartment by its resident Janet Current, and they were able to recover a large red t shirt that resembles the one worn by Chilton the night of the robbery.

Suspect Interview of Carl Chilton

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Carl Chilton requested the presence of an attorney before he would answer any questions.

Arrest Of Carl Chilton

Carl Chilton was transported to CCDC where he was booked for Robbery WDW (2cts), Kidnaping WDW (5 cts), Conspiracy to Commit Robbery, Conspiracy to Commit Kidnap, Burglary with a Weapon, and GLA.

RA 000006